

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66502 of 2019

Arising Out of PS. Case No.-469 Year-2019 Thana- MADHAURAH District- Saran

PREMJEET LAL SINGH @ PREMJEET SINGH Son of Pahlad Singh
Resident of Village-Siswan, Rasulpur, P.S.-Marhaura (Gaura O.P.), District-
Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code registered in connection with Marhaura (Gaura OP) P.S. Case No. 469 of 2019.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties, who are agnates. The petitioner is said to have assaulted the informant on his head with iron rod while co-accused Ganesh Singh is said to have assaulted the informant on his head with lathi. Such allegation are not corroborated as the injury report discloses sharp cut head injury, which thus cannot be attributed to the petitioner. The prosecution case is highly doubtful as there is not a whisper about any assault by Sobhapati Kunwar and Sanjeet Singh, but their injury reports are on record, which thus casts serious doubt about the accusation in the FIR. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appears and has been heard. It is submitted that the head injury



sustained by the informant is grievous in nature.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Marhaura (Gaura OP) P.S. Case No. 469 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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